

III. REMARKS

1. Claims 1, 37, 42 and 45 are amended. Claims 1-45 are pending in this application.

2. Claims 1-45 are patentable under 35 U.S.C. 103(a) over Hirai et al., U.S. Patent No. 6,339,699 ("Hirai"), in view of Muramatsu et al., U.S. Patent No. 6,477,391 ("Muramatsu"). Claim 1 recites in pertinent part, a removable insert positioned in the insert aperture and a one-piece flexible member joined to the base for supporting an electronic device disposed in the insert. Claim 1 also recites, the one-piece flexible member being independent from the insert, wherein the one-piece flexible member engages the electronic device and supports the electronic device separate from the insert. Neither Hirai nor Muramatsu, individually or in combination, disclose or suggest a removable insert and a one-piece flexible member independent from the insert wherein the one-piece flexible member engages the electronic device and supports the electronic device separate from the insert.

Hirai discloses a mobile phone holder having a fixed casing (10), a movable casing (20) and a holder connector (30) (Col. 4, L. 52-53). The fixed casing (10) is fixed in a certain position and is shaped into a vessel-like form with a hollow portion (11) opened upward to for accommodating the movable casing (20) (Col. 4, L. 54-59). The movable casing (20) is formed with a hollow portion (21) for inserting a mobile phone (Col. 4, L. 60-61). The movable casing (20) is mounted to the fixed casing (10) with a pivot shaft (22) so that the movable casing (20) pivots within the fixed casing (10) (Col. 5, L. 6-14). A torsion spring (40) is wound around the pivot shaft (22) to raise the movable casing (20) upward to a detachable position (Col. 5, L. 15-20). When

the movable casing (20) is in the detachable position, the mobile phone can be accessible to the hollow portion (21) of the movable casing (20) (i.e. the phone can be inserted or removed from the holder) (Col. 8, L. 30-41; Col. 11, L. 64 - Col. 12, L. 12). After the phone is inserted into hollow portion (21) the phone is secured in the holder by pressing on the phone and movable casing (20) so that the movable casing (20) is in a housed position within the fixed casing (10). (Col. 8, L. 42-56). The hollow portion (21) of the movable casing (20) can be formed with a recess (23) in a one-size-fits-all manner with a depth great enough to insert the largest battery casing (90C) (Col. 16, L. 13-28; Figs. 46A-46C).

The movable casing (20) in Hirai is also disclosed as being vertically movable in the fixed casing (10) to maintain a horizontal posture (Col. 15, L. 9-14). When the movable casing (20) is in the uppermost position the mobile phone may be inserted or removed from the holder (Col. 15, L. 22-36). The mobile phone is secured in the holder when the movable casing (10) is pressed into the fixed casing (10) (Col. 36-39).

Nowhere does Hirai disclose or suggest that the movable casing (20) is removable from the fixed casing. The movable casing (20) is pivotally mounted within hollow portion (11) of the fixed casing (10) by pivot shaft (22). The pivot shaft (22) extends out of the movable casing (20) into holes (12) of the fixed casing (10). The movable casing (20) is mounted on the fixed casing (10) to be pivotable about an axis of the pivot shaft (22) (Col. 5, L. 6-14) or to be vertically movable (Col. 15, L. 9-14). This is not what is called for in claim 1. Claim 1 calls for a removable insert positioned in the insert aperture. Only the mobile phone is removably inserted into the holder of Hirai (i.e.

when the movable casing (20) is in the detachable position). This is further evidenced by the one-size-fits-all construction of the movable casing (20) (Col. 16, L. 13-28).

In addition, Nowhere does Hirai disclose or suggest a one-piece flexible member being independent from the insert, wherein the one-piece flexible member engages the electronic device and supports the electronic device separate from the insert. Thus Hirai does not disclose or suggest the features of claim 1.

Muramatsu discloses a mobile phone holding device for establishing a stable communication between a portable phone and outside on-board instruments without precisely adjusting the positions of respective infrared optical communication interfaces (Col. 2, L. 28-34). The holder of Muramatsu has a pedestal (2) and a telephone holder (1) that includes a light guide (3), a pair of stays (7) and a housing (9) (Col. 4, L. 15-16). The light guide (3) is secured on the pedestal (2). The stays (7) are slidably arranged on the pedestal (2) with a predetermined coefficient of friction against the pedestal (2) (Col. 4, L. 16-23). The mobile phone is held in the holder by sliding the stays (7) toward the light guide (3) so that the mobile phone is pinched between the stays (7) and the light guide (3) (Col. 4, L. 24-34).

Nowhere does Muramatsu disclose or suggest a removable insert positioned in the insert aperture as claimed by Applicant. Nor does Muramatsu disclose or suggest a one-piece flexible member being independent from the insert, wherein the one-piece flexible member engages the electronic device and supports the electronic device separate from the insert. The mobile phone (5) sits on the flat pedestal (2) of Muramatsu. The phone is held on the

pedestal by sliding stays (7) against the phone so that the phone is pinched between the stays (7) and the light guide (3) (See Fig. 5 and 1). This is not what is claimed in claim 1. Claim 1 recites a removable insert positioned in the insert aperture and a one-piece flexible member joined to the base for supporting an electronic device disposed in the insert. The stays (7) nor the light guide (3) are disclosed as being flexible. Moreover, the stays (7) and the light guide (3) must be rigid so that pressure can be applied to the side of the mobile phone when the phone is pinched between the stays (7) and light guide (3). Therefore, Muramatsu fails to disclose or suggest the features of claim 1.

Because neither Hirai nor Muramatsu disclose or suggest the features of Applicant's claim 1, their combination cannot as well. If Hirai and Muramatsu were combined the result would be a holder having a fixed casing and a movable casing capable of establishing a stable communication between a portable phone and outside on-board instruments without precisely adjusting the positions of respective infrared optical communication interfaces. The movable casing would have a slidable stay for holding the mobile phone within the movable casing. This is not what is claimed in claim 1.

Claims 2-14 either directly or indirectly depend from claim 1 and are patentable by reason of their respective dependencies.

Claim 15 of the present application recites in pertinent part, a flexible arm having spindles attached to the base ... the base also having an insert aperture therein. Claim 15 also recites, an interchangeable insert removably disposed in the insert aperture for holding an electronic device, wherein the flexible arm cushions the electronic device, wherein the interchangeable

insert is selected from a number of different interchangeable inserts which can be interchanged in the insert aperture to accommodate different electronic devices. For reasons similar to those described above with respect to claim 1, neither Hirai nor Muramatsu, individually or in combination, disclose or suggest the features of claim 15. Thus, claim 15 is patentable over the combination of Hirai and Muramatsu. Claims 16-36 either directly or indirectly depend from claim 15 and are patentable by reason of their respective dependencies.

Claim 37 recites, an electrically conductive removable insert contained in an electrically wired casing for holding a handset. Claim 37 also recites, a generally U-shaped flexible frame attached to the electrically wired casing in a raised position, wherein the U-shaped flexible frame cushions the handset held in the insert. For reasons similar to those described above with respect to claim 1, neither Hirai nor Muramatsu, individually or in combination, disclose or suggest the features of claim 37. Therefore, claim 37 is patentable over the combination of Hirai and Muramatsu. Claims 38-41 either directly or indirectly depend from claim 37 and are patentable by reason of their respective dependencies.

Claim 42 recites in pertinent part, providing an electrically connectable base with an insert aperture and the electrically connectable base having at least one base opening for at least one pivotable flexible arm with at least one spindle. Claim 42 also recites placing an electrically connectable removable insert into the insert aperture and positioning the at least one pivotable flexible arm to brace the electronic device, wherein the electronic device can be removed and the pivotable flexible arm placed in a down position. For reasons similar to those

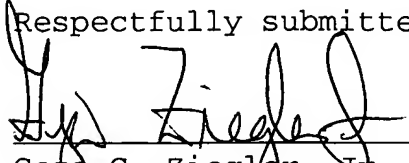
described above with respect to claim 1, claim 42 is patentable over the combination of Hirai and Muramatsu as neither Hirai nor Muramatsu, individually or in combination, disclose or suggest the features of claim 42. Claims 43 and 44 depend from claim 42 and are patentable by reason of their respective dependencies.

Claim 45 recites in pertinent part, a number of different interchangeable inserts sized and shaped to be received in the insert aperture and adapted for receiving an electronic device, each of the different interchangeable inserts having a different predetermined characteristic and having a second electrical connector in an electronic device receiving receptacle. Claim 45 also recites at least one pivotable flexible arm having at least one spindle adapted to be received into the at least one spindle aperture. For reasons similar to those described above with respect to claim 1, claim 45 is patentable over the combination of Hirai and Muramatsu as neither Hirai nor Muramatsu, individually or in combination, disclose or suggest the features of claim 45.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$120.00 is enclosed for a one month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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